

**UNITED STATES DISTRICT COURT**  
 for the  
**Southern District of New York**

SAM SIMON

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*Plaintiff(s)*

v.

)

BIG GAY INC d/b/a BIG GAY ICE CREAM, JASON  
 O'MALLEY, THE GAP INC, CROWN PUBLISHING  
 GROUP d/b/a CLARKSON POTTER

)

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)

*Defendant(s)*

Civil Action No. 16-cv-2876

**SUMMONS IN A CIVIL ACTION**

The Gap, Inc.

To: *(Defendant's name and address)* C/O CT CORPORATION SYSTEM  
 111 EIGHTH AVENUE  
 NEW YORK, NEW YORK, 10011

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

SIROTKIN VARACALLI & HAMRA, LLP  
 110 E 59th Street, Suite 3200  
 New York, New York 10022  
 Tel.: (646) 590-0571  
 Fax.: (646) 619-4012  
 E-mail: DVaracalli@svhllp.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 4/18/2016

 A circular seal of the United States District Court for the Southern District of New York. The outer ring contains the text "UNITED STATES DISTRICT COURT" at the top and "FOR THE SOUTHERN DISTRICT OF NEW YORK" at the bottom. The center features an eagle with wings spread, holding a shield with stars and stripes, and a sword.

CLERK OF COURT

/s/ R. Chambers

*Signature of Clerk or Deputy Clerk*

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))***

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: